

1 **BEFORE THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS**
2 **IN MEDICINE AND SURGERY**

3 IN THE MATTER OF:

) Case No.: N/A
)

4 **PAUL W. FRUTOS, D.O.**

) **STIPULATION FOR ISSUANCE OF**
) **LICENSE AND PROBATION**

5 Applicant for a license to Practice osteopathic
6 medicine in the State of Arizona.
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9 On August 21, 2006, Paul W. Frutos, D.O. (hereinafter "Respondent") filed an
10 application for licensure with the AZ Board of Osteopathic Examiners (hereinafter "Board").

11 On December 9, 2006, the Respondent appeared before the Board as requested by board
12 staff for a review of his license application and his licensure history. In the course of completing
13 their review, the Board requested an evaluation be completed prior to their final determination in
14 this matter.

15 The Board reviewed Respondent's application for license, including the Respondent's
16 licensure history, and all other relevant issues concerning his qualifications to obtain a Board
17 license, and took testimony from the Respondent. The Board authorized preparation of an order
18 granting Respondent a license to practice as an osteopathic physician in the State of Arizona with
19 the following the following terms of Restriction.

20 **STIPULATION**

21 By mutual agreement and understanding, the Arizona Board of Osteopathic Examiners
22 (hereafter "Board") and Paul W. Frutos, D.O. (hereinafter "Respondent"), the parties hereto agree
23 to the following disposition to this matter.

24 1. Respondent acknowledges that he has read this Stipulation for Issuance of a
25 License and Order of Probation and, Respondent is aware of and understands the contents of this
document.

1 2. Respondent understands that by entering into this Stipulation for Issuance of a
2 License and Order of Probation, he voluntarily relinquishes any rights to a hearing on the matters
3 alleged as grounds for Board action or to seek judicial review of the consent order in state or
4 federal court.

5 3. Respondent understands that this Stipulation for Issuance of a License and Order
6 of Probation will not become effective unless approved by the Board and signed by its Executive
7 Director.

8 4. Respondent further understands that this Stipulation for Issuance of a License and
9 Order of Probation, once approved and signed, shall constitute a public records which will be
10 disseminated as a formal action of the Board as required by A.R.S. §§ 32-1855 (L) and (K).

11 5. Respondent admits to the statement of facts and conclusions of law contained in
12 the Stipulation for Issuance of a License and Order of Probation.

13 6. All admissions made by Respondent are solely for final disposition of this matter
14 and any subsequent administrative proceedings or litigation involving the Board, Respondent and
15 the State of Arizona; and, therefore, said admissions by Respondent are not intended for any
16 other purpose or administrative regulatory proceeding or litigation in another state or federal
17 court.

18 7. Respondent acknowledges and agrees that upon signing and returning this
19 document (or a copy thereof) to the Board's Executive Director, he may not later revoke or
20 amend this Stipulation for Issuance of a License and Order of Probation, without first obtaining
21 Board approval.

22 8. Respondent further acknowledges and agrees that this Stipulation for Issuance of
23 a License and Order of Probation is an adverse action that will be reported to the appropriate and
24 mandated entities.

1 REVIEWED AND ACCEPTED THIS 2 DAY OF APRIL, 2007.

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4 Paul W. Frutos, D.O.

5 **FINDINGS OF FACT**

6 1. The Board of Osteopathic Examiners of the State of Arizona ("Board") is the duly
7 constituted authority for the regulation and control of the practice of osteopathic medicine in the
8 State of Arizona.

9 2. Pursuant to Arizona Revised Statutes § 32-1800, et seq., the Board possesses
10 jurisdiction over the subject matter hereof and over the application for license submitted by
11 Respondent

12 3. The Board has the authority to enter a final order and to enter into an agreement
13 for the disposition of this matter pursuant to A.R.S. § 32-1822(D).

14 4. On his license application, Respondent answered "yes" to question #1, which
15 states, "Have you been diagnosed with or developed initial or worsening symptoms of a physical,
16 mental, or emotional condition which did or may impair or limit your ability to safely practice
17 medicine?"

18 5. According to these disclosures, Respondent provided information to the Board
19 indicating that he was currently under the care of medical professionals for a medical condition.

20 6. After review and consideration of the application, an evaluation by a psychiatrist,
21 the Board voted to offer the Applicant a license with a (1) year probationary period.

22 **CONCLUSIONS OF LAW**

23 1. The conduct described in Findings of Fact 1 through 6 above constitutes grounds
24 for the issuance of a license pursuant to A.R.S. § 32-1822(E), which states in pertinent part, "The
25 board may issue a license that is contingent on the applicant entering into a stipulated order that

1 may include a period of probation on the licensee's practice."

2 **ORDER**

3 **NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:**

4 1. Respondent's license to practice osteopathic medicine shall be placed on
5 PROBATION for a period of ONE YEAR with the following terms:

6 A. that the effective date of the probationary period shall be the first business day
7 after Applicant's license is issued by the Board.

8 B. From the date of this Order, Respondent shall obtain participate in at least one
9 psychiatric counseling or contact per month.

10 C. From the date of this Order, Respondent shall obtain participate in at least two
11 therapy session or contacts per month.

12 D. Respondent shall inform the Board by letter (mailed within twenty (20) days of
13 the date of this order) of the professional's names; and, Respondent shall undertake and
14 fully cooperate with a program of treatment established by the therapist and/or
15 psychiatrist. In the event Respondent changes any of these professionals, he shall give
16 the Board written notice within ten (10) days of said action. Respondent shall not
17 discontinue or reduce the frequency of psychotherapy sessions until he has submitted a
18 written request to the Board and obtained Board approval.

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20 ISSUED THIS 16TH DAY OF JULY, 2007.

21 STATE OF ARIZONA
22 BOARD OF OSTEOPATHIC EXAMINERS IN
23 MEDICINE AND SURGERY



By: _____

Jack Confer, Executive Director

1 Original "Stipulation for Issuance
2 of License and Probation" filed
3 this 17th day of ~~April~~ ^{July}, 2007 with the:

4 Arizona Board of Osteopathic Examiners
5 In Medicine and Surgery
6 9535 East Doubletree Ranch Road
7 Scottsdale AZ 85258-5539

8 Copy of the foregoing "Stipulation for
9 Issuance of a License and Probation"
10 sent via certified, return receipt
11 requested this 17th day of ~~April~~ ^{July}, 2007 to:

12 Paul Frutos, D.O.
13 6957 Puertolanno Drive
14 North Las Vegas, Nevada 89084

15 Copies of the foregoing "Stipulation for
16 Issuance of a License and Order of Probation"
17 sent via regular mail this
18 17th day of ~~March~~ ^{July}, 2007 to:

19 Blair Driggs, AAG
20 Office of the Attorney General CIV/LES
21 1275 West Washington
22 Phoenix AZ 85007

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